

FEDERAL REGISTER

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Tuesday, September 1, 1936

No. 122

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

WITHDRAWAL OF PUBLIC LANDS FOR LOOKOUT STATIONS

Oregon

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, it is ordered as follows:

SECTION 1. Executive Order No. 6910 of November 26, 1934, as amended, temporarily withdrawing all public lands in certain States for classification and other purposes, is hereby revoked as to the following-described tracts of public land in Oregon:

WILLAMETTE MERIDIAN

T. 39 S., R. 13 W., sec. 10, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
T. 34 S., R. 14 W., sec. 3, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;
aggregating approximately 90 acres.

SECTION 2. Subject to valid existing rights, the tracts of land described in section 1 of this order are hereby temporarily withdrawn from settlement, location, sale, or entry, and reserved for use by the Forest Service of the Department of Agriculture as lookout stations in connection with the administration of the Siskiyou National Forest.

SECTION 3. Executive Orders No. 7270 of January 7, 1936, and No. 7303 of February 25, 1936, temporarily withdrawing the following-described lands in Oregon and reserving them for use by the Department of Agriculture as lookout stations in connection with the administration of the said National Forest, are hereby revoked:

WILLAMETTE MERIDIAN

T. 39 S., R. 13 W., sec. 10, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 15, lot 2;
T. 34 S., R. 14 W., sec. 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; ag-
gregating approximately 106.60 acres.

SECTION 4. Section 2 of this order shall continue in force and effect unless and until revoked by the President or by act of Congress.

FRANKLIN D ROOSEVELT

The White House,

August 29, 1936.

[No. 7441]

[F. R. Doc. 1998—Filed, August 31, 1936; 11:46 a. m.]

Vol. I—pt. 2—37—1

TREASURY DEPARTMENT.

Bureau of Internal Revenue.

[T. D. 4692]

DETERMINING PROOF OF BLENDED WHISKIES

To District Supervisors and Others Concerned:

Section 605, of the Revenue Act of 1918, provides:

“ . . . The business of a rectifier of spirits shall be carried on, and the tax on rectified spirits shall be paid, under such rules, regulations, and bonds as may be prescribed by the Commissioner, with the approval of the Secretary. ”

Pursuant to this authority of the Statute, Paragraphs 42 and 43 of Regulations 15 are hereby amended as follows:

PARAGRAPH 42. In determining the proof of distilled spirits and rectified spirits to which saccharine or other solid matter has not been added, the standard hydrometer set, consisting of cup with thermometer and the necessary stems, will be used. In connection with the use of such instruments, rectifiers must provide themselves with the Gauging Manual of January 1934, and follow closely the instructions therein relative to the gauging of spirits.

PARAGRAPH 43. In determining the alcoholic content of blended whiskies containing cherry wine, prune juice, caramel, glycerine, etc., and of wines, cordials, liquors, and other rectified products containing saccharine or other solid matter, the Juerst Ebulliometer, or the Salleron-Dujardin Ebullioscope, or a small still, will be used. In connection with the use of such instruments, rectifiers must provide themselves with a copy of the Wine Regulations No. 7, of May 1930, and follow closely the instructions in Part IV thereof relative to the use of such instruments. The tables in the appendix of such regulations will be used to ascertain the alcoholic content of the wines or other liquor. The alcoholic content shown in such tables is the percent of alcohol by volume and should be multiplied by two to ascertain the proof of the wines or rectified products.

[SEAL]

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved, August 27, 1936.

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 1935—Filed, August 29, 1936; 11:56 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

[Docket No. A-34 O-34]

PROPOSED AMENDMENTS TO THE MARKETING AGREEMENT AND TO THE ORDER REGULATING THE HANDLING OF WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON, ISSUED BY THE SECRETARY OF AGRICULTURE ON OCTOBER 11, 1935

Whereas under the Agricultural Adjustment Act, as amended, notice of hearing is required in connection with proposed amendments to a marketing agreement or an order and the General Regulations, Series A, No. 1, as

amended, of the Agricultural Adjustment Administration, United States Department of Agriculture, provide for such notice; and

Whereas the walnut Control Board, established by the order regulating the handling of walnuts grown in the States of California, Oregon, and Washington, has submitted certain amendments to the said marketing agreement and order and requested that a hearing be held on the said amendments;

Now, therefore, pursuant to the said act and the said general regulations, notice is hereby given of a public hearing to be held in room 113, Agricultural Hall, University of California, Berkeley, California, on September 8, 1936, at 9:30 a. m., and thereafter until concluded, at which time interested parties will be heard with reference to proposed amendments to the marketing agreement and order regulating the handling of walnuts grown in the States of California, Oregon, and Washington to be executed and issued under the said act.

This public hearing is for the purpose of receiving evidence as to the necessity for, and the advisability of, amending the said marketing agreement and order so as (1) to fix the salable percentage of walnuts for the crop year September 1, 1936, to August 31, 1937; (2) to establish two divisions of the regional production area covered by the marketing agreement and order, and to provide for exemption of surplus requirements in either division in the event the walnut production for any crop year in either division is extremely low; (3) to change the detailed method by which walnuts or cash may be used in meeting surplus obligations; (4) to change the number of persons which the different groups within the industry may select as nominees for membership on the Control Board; (5) to change the application of the salable percentage to walnuts carried over from one crop year to another crop year; (6) to establish a method of fixing the amount of bond to be given by a handler in connection with his deferred surplus obligation; and (7) to add new pack specifications to Exhibit A. Evidence as to the necessity and advisability of such other amendments as may be presented at the hearing will be received.

Copies of the amendments to the said marketing agreement and order proposed by the walnut Control Board may be inspected in or procured from the office of the Hearing Clerk, Room 4725, South Building, United States Department of Agriculture, Washington, D. C.

[SEAL]

W. R. GREGG,

Acting Secretary of Agriculture.

Dated: August 29, 1936.

Washington, D. C.

[F. R. Doc. 1999—Filed, August 31, 1936; 11:54 a. m.]

ECR—B-1, Revised—Supplement (n)

Issued August 29, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—EAST CENTRAL REGION

BULLETIN NO. 1 REVISED—SUPPLEMENT (N)

Classification of Crops

Section 2, "Soil-Conserving Crops", of part IV of ECR—B-1, Revised, as amended; is hereby further amended by changing the date at the end of the first paragraph thereof preceding subsection (a) from September 1, 1936, to October 1, 1936.

In testimony whereof, W. R. Gregg, Acting Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 29th day of August 1936.

[SEAL]

W. R. GREGG,

Acting Secretary of Agriculture.

[F. R. Doc. 2000—Filed, August 31, 1936; 11:54 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

RULES AND REGULATIONS APPLICABLE TO RELAY BROADCAST, INTERNATIONAL BROADCAST, TELEVISION BROADCAST, FACSIMILE BROADCAST, HIGH FREQUENCY BROADCAST, AND EXPERIMENTAL BROADCAST STATIONS

[Effective September 15, 1936]

The Broadcast Division on August 21, 1936, adopted the following:

GENERAL

980. The operating frequency of the broadcast stations as listed below shall be maintained within plus or minus the percentage of the assigned frequency as given in Table I.

TABLE I

Station	Tolerance
Relay broadcast:	
(a) 1,622 to 2,830 kc.....	0.01%.
(b) 31,100 to 41,400 and above.....	10 watts or less 0.1%.
International broadcast.....	(Above 10 watts 0.05%.
Television broadcast.....	0.01%.
Facsimile broadcast.....	0.05%.
High-frequency broadcast.....	0.05% or less as required.
Experimental broadcast.....	0.01%.
	0.05% or less as required.

981. (a) The licensee of each broadcast station listed in Rule 980, except relay broadcast stations, shall operate at the transmitter a frequency monitor independent of the frequency control of the transmitter.

(b) The frequency monitor shall be designed and constructed in accordance with good engineering practice and shall have an accuracy sufficient to determine that the operating frequency is within one-half ($\frac{1}{2}$) of the allowed tolerance.

(c) The licensee of each relay broadcast station shall provide the necessary means for determining that the frequency of the station is within the allowed tolerance.

(d) The frequency of all stations listed in Rule 980 shall be checked at each time of beginning operation and as often thereafter as necessary to maintain the frequency within the allowed tolerance.

982. (a) Licenses for the following classes of broadcast stations will be normally issued for a period of one year expiring as follows:

Class of station	Date of expiration
Relay broadcast:	
(a) 1,622 to 2,830 kc.....	October 1.
(b) 31,100 to 41,400 kc and above.....	December 1.
International broadcast.....	November 1.
Television broadcast.....	February 1.
Facsimile broadcast.....	March 1.
High frequency broadcast.....	April 1.
Experimental broadcast.....	May 1.

(b) Each licensee shall submit the application for renewal of license at least 60 days prior to the expiration date (Rule 103.15).

(c) A supplemental report shall be submitted with each application for renewal of license of a station operating on frequencies allocated on an experimental basis in accordance with the regulations governing each class of station.

983. (a) No frequency allocated on an experimental basis to broadcast stations listed in Rule 980 will be assigned exclusively to any licensee. In case interference will be caused by simultaneous operation, licensees shall endeavor to arrange satisfactory time division. If such agreement cannot be reached, the Commission will determine and specify the time division.

(b) The Commission may from time to time require the licensee of a station assigned a frequency or frequencies on an experimental basis to conduct experiments that are deemed desirable and reasonable for the development of the service.

(c) The program of research and experimentation as offered by an applicant in compliance with the requirements for obtaining a license on an experimental frequency shall be adhered to in the main, unless the licensee is authorized to do otherwise by the Commission.

(d) A licensee of a station assigned a frequency or frequencies on an experimental basis is not required to adhere to a regular schedule of operation, but shall actively conduct a program of research and experimentation or transmission of programs, provided, however, licensees of experimental broadcast stations which are licensed to conduct special intermittent experiments, such as to develop and test commercial broadcast equipment, are required to operate only when there is a need therefor.

(e) A supplementary statement shall be filed with and made a part of each application for construction permit for a broadcast station which requests any frequency above 30,000 kilocycles, confirming the applicant's understanding:

1. That all operation upon these frequencies is on an experimental basis.
2. That these frequencies may not be the best suited to the particular service assigned.
3. That they may not be allocated eventually for such service.

984. (a) The licensee of each class of broadcast station listed in Rule 930 shall maintain adequate records of the operation, including:

1. Hours of operation.
2. Program transmitted.
3. Frequency check.
4. Pertinent remarks concerning transmission.
5. Research and experimentation conducted.
6. And any additional information specified in the regulations governing each class of station or for completing the supplemental report as required.

(b) The above information shall be made available upon request by authorized Commission representatives.

985. The licensee of each class of broadcast station listed in Rule 980 may make any changes in the equipment that are deemed desirable or necessary, provided:

1. That the operating frequency is not permitted to deviate more than the allowed tolerance.
2. That the emissions are not permitted outside the authorized band.
3. And that the power output complies with the regulations governing the same.

986. All classes of broadcast licenses authorize A₃ emission only unless otherwise specified on the license. In case A₁, or A₂ emission, or both is necessary or helpful in carrying on any phases of experimentation, application setting out fully the needs should be made to, and authority therefor received from, the Commission.

987. In case all the general rules and regulations and the specific rules governing each class of broadcast station do not cover all phases of operation or experimentation with respect to external effects, the Commission may make supplemental or additional orders in each case as deemed necessary for operation in the public interest, convenience, and/or necessity.

RELAY BROADCAST STATIONS

1000. The term "relay broadcast station" means a station licensed to transmit from points where wire facilities are not available, programs for broadcast by one or more broadcast stations or orders concerning such programs.

1001. (a) A license for a relay broadcast station will be issued only to the licensee of a regular broadcast station; provided however, in cases where it is impractical, impossible, or prohibited by laws or regulations for the licensee of a regular broadcast station to install, operate, or maintain the necessary equipment under its legal control, the Com-

mission may grant special temporary authority for each event to other persons to operate as a relay broadcast station equipment already licensed for another service, or equipment which may be installed under Section 319 (b) of the Communications Act of 1934 without a construction permit.

(b) The license of a relay broadcast station authorizes the transmission of commercial or sustaining programs, or orders concerning such programs, to be broadcast by its regular broadcast station and other broadcast stations transmitting the same programs simultaneously or a chain program to the network with which the licensee is regularly affiliated. The license of a relay station will not authorize transmission of programs to be broadcast solely by other broadcast stations not aforementioned.

(c) The Commission may license a special relay broadcast station to the holder of other classes of broadcast licenses provided the relay station will be used wholly in conjunction with the experimentation or relaying of programs for broadcast by that broadcast station.

(d) Each application for temporary authority to operate a relay broadcast station from a person other than a licensee of a regular broadcast station shall be accompanied by an application for authority to broadcast the program from the licensee of the regular broadcast station proposing the broadcast.

(e) An application for special temporary authority to operate another class of station as a relay broadcast station shall specify a group of frequencies allocated in Rule 1003; provided, however, in case of events of national interest and importance which cannot be transmitted successfully to the nearest available wire facilities on these frequencies, other frequencies under the jurisdiction of the Commission may be requested, if it is shown that the operation thereon will not cause interference to established stations.

(f) An application for special temporary authority to operate on frequencies not allocated by Rule 1003 or to operate another class of station as a relay broadcast station must be received by the Commission not less than ten days prior to the actual event to be broadcast, and shall contain complete information concerning the frequencies requested, the license of the station to be used, and the information specified in Rule 1002 (b), (1), (2), (3), (4). In case of emergencies, which shall be fully explained in the application, the Commission may waive the ten-day requirement specified herein.

1002. (a) The license of a relay broadcast station does not authorize operation except as provided in subsections (b), (c), and (d) of this Rule.

(b) An application which may be submitted either by letter or telegram, for authority to operate temporarily a relay broadcast station for each event or series of associated events to be broadcast, must be received at least two days before the first proposed operation, and shall include:

1. A statement as to the period of use desired.
2. Identification and succinct description of the event proposed to be broadcast.
3. A statement concerning the availability of wire facilities.
4. Location of the program transmitter and receiver.

(c) Relay broadcast stations licensed on the experimental frequencies allocated in Rule 1003 (c) may be operated at any time for experimental purposes without notice to the Commission if no interference results to establish stations and the program transmitted is not rebroadcast.

(d) In case of events occurring about which the licensee had no means of obtaining information two days in advance, such as earthquakes, aeroplane accidents, fires, etc., the application to and authority from the Commission as required in subsection (b) of this rule will be waived, provided the Commission is advised by telegram sent before the broadcast as to the details of the events and the expected duration of the broadcast.

1003. (a) The following groups of frequencies are allocated for assignment to relay broadcast stations:

Group A	Group B	Group C
<i>Kilocycles</i>	<i>Kilocycles</i>	<i>Kilocycles</i>
1,622	1,606	1,616
2,058	2,022	2,090
2,150	2,102	2,190
2,790	2,758	2,830

(b) One group including all four frequencies will be assigned each station. The first application from any metropolitan area shall specify Group A, the second Group B, and the third Group C, the fourth Group A again, etc. Outstanding assignments not following this order will not be changed unless a need therefor develops. Additional applications shall specify the next unassigned group in sequence or any other group if it appears interference will be avoided thereby.

(c) The following groups of frequencies are allocated for relay broadcast stations on an experimental basis (experimental frequencies):

Group D	Group E	Group F	Group G
<i>Kilocycles</i>	<i>Kilocycles</i>	<i>Kilocycles</i>	
31,100	38,900	39,700	Any four frequencies above 86,000 kilocycles except in band 400,000 to 401,000 kilocycles.
34,600	39,100	39,900	
37,600	39,300	40,800	
40,600	39,500	41,400	

(d) One group including all four frequencies will be assigned each station. Any four specific frequencies under Group G which appear most suitable for the experimental work to be conducted may be assigned.

(e) The licensee of a station on Group D, E, F, or G shall carry on research and experimentation for the advancement of the relay broadcast art and development of these very high frequencies for relay broadcast services. An application for authority to construct a station for operation on the experimental frequencies shall include a statement concerning the research and experiments to be conducted. The research and experiments shall indicate reasonable promise of substantial contribution to the development of the program relay services.

(f) A license authorizes operation on only one of the four assigned frequencies at any one time. In case it is desired to transmit programs and spoken orders concerning such programs simultaneously, two licenses are required though each may specify the same group of frequencies.

1004. In case two or more stations are licensed for the same group of frequencies in the same area and have been authorized to operate under Rule 1002 (b), the licensees shall endeavor to select frequencies to avoid interference. If a mutual agreement to this effect cannot be reached, the Commission shall be notified and it will specify the frequencies on which each station is to be operated.

1005. A relay broadcast station shall be operated with a power output not in excess of that necessary to transmit the program and orders satisfactorily to the receivers, and in no event greater than the licensed power.

1006. The licensee of a relay broadcast station assigned the experimental frequencies under Rule 1003 (c) shall submit a supplemental report with and made a part of each application for renewal of license as follows:

1. Number of hours operated for experimental purposes.
2. Developments in the relay broadcast service.
3. Propagation characteristic of the frequencies assigned with regard to relay broadcast service.
4. All developments or major changes in equipment.
5. Any other pertinent developments.

INTERNATIONAL BROADCAST STATIONS

1010. The term "international broadcast station" means a station licensed for the transmission of broadcast programs

for international public reception. Frequencies for these stations are allocated from bands assigned (between 6,000 and 26,600 kilocycles) for broadcasting by Article 7, General Radio Regulations, annexed to the International Telecommunication Convention, Madrid, 1932.

1011. A license for an international broadcast station will be issued only after a satisfactory showing has been made in regard to the following, among others:

1. That the applicant has a program of research and experimentation which indicates reasonable promise of substantial contribution to the development of the international broadcast service.
2. That the station will render an international broadcast service.
3. That the program production and experimentation will be conducted by qualified persons.
4. That the applicant is legally and financially qualified and possesses adequate technical facilities to carry forward the program.
5. That the public interest, convenience, and necessity will be served through the operation of the proposed station.

1012. (a) A licensee of an international broadcast station shall not make any charge directly or indirectly for the transmission of programs, but may transmit the programs of a regular broadcast station or network, including commercial programs, if the call letter designation when identifying the international broadcast station is given on its assigned frequency only and the statement is made over the international broadcast station that the program of a broadcast station or network (identify by call letters or name of network) is being broadcast. In case of the rebroadcast of the program of any broadcast station, Rule 177 applies.

(b) No licensee of any other broadcast station or network shall make any additional charge, directly or indirectly for the simultaneous transmissions of programs by the international broadcast station, nor shall commercial accounts be solicited by a licensee of another broadcast station or network or by others acting in their behalf upon representation that the commercial program will also be transmitted by an international broadcast station.

(c) Station identification and program announcements shall be made with international significance suited for the foreign nation or nations for which the service is primarily intended or in which the reception is believed to be best on account of the frequency, season, hour of operation, etc.

1013. (a) The following groups of frequencies are allocated for assignment to international broadcast stations on an experimental basis:

Group A	Group B	Group C	Group D	Group E	Group F	Group G	Group H
<i>Kilocycles</i>	<i>Kilocycles</i>	<i>Kilocycles</i>	<i>Kilocycles</i>	<i>Kilocycles</i>	<i>Kilocycles</i>	<i>Kilocycles</i>	<i>Kilocycles</i>
6,020	9,510	11,710	15,110	15,250	17,760	21,460	25,625
6,040	9,530	11,750	15,150	15,270	17,780	21,480	25,650
6,060	9,570	11,770	15,170	15,290	17,800	21,520	25,675
6,080	9,590	11,790	15,190	15,310		21,540	25,725
6,100		11,810	15,210	15,330			25,750
6,140		11,830	15,230				25,800
		11,850					25,825
		11,870					25,850
		11,890					25,875

(b) A separate license and call letter designation will be issued for each frequency except that where frequencies in two or more groups are required to maintain a particular international broadcast service to certain foreign country or countries, one frequency from each of the groups required may be authorized by one license and one call letter designation. In such cases these frequencies shall be used consecutively during a day as required and they shall not be used simultaneously either on the same transmitter or different transmitters.

(c) Not more than one frequency in any group in subsection (a) of this rule will be assigned to a station.

(d) An applicant shall select the frequency which it is believed is best suited to the experiments to be conducted,

for reception in the foreign country or countries for which the service is intended, and for a minimum of interference to other international broadcast stations.

(e) Applicants shall file a separate application for each frequency or frequencies requested in different groups as provided in subsection (b) of this rule.

1014. (a) No international broadcast station will be licensed for a power output rating less than 5 kilowatts.

(b) While conducting apparatus experiments and in case adequate signal is delivered in the foreign country being served, the operating power output may be less than 5 kilowatts.

1015. A supplemental report shall be filed with and made a part of each application for renewal of license and shall include statements of the following:

1. The number of hours operated on each frequency.
2. A list of programs transmitted of special international interest.
3. Outline of reports of reception and interference and conclusions with regard to propagation characteristics of the frequency assigned.
4. Research and experiments being carried on to improve transmission and to develop international broadcast and the frequencies assigned.
5. All developments or major changes in equipment.
6. Any other pertinent developments.

VISUAL BROADCAST SERVICE

1030. The term "visual broadcast service" means a service rendered by stations broadcasting images for general public reception. There are two classes of stations recognized in the visual broadcast service, namely: television broadcast stations and facsimile broadcast stations.

TELEVISION BROADCAST STATIONS

1031. The term "television broadcast station" means a station licensed for the transmission of transient visual images of moving or fixed objects for simultaneous reception and reproduction by the general public. The transmission of the synchronized sound (aural broadcast) is considered an essential phase of television broadcasting, and one license will be issued for both visual and aural broadcast as hereinafter set out.

1032. A license for a television broadcast station will be issued only after a satisfactory showing has been made in regard to the following, among others:

1. That the applicant has a program of research and experimentation which indicates reasonable promise of substantial contribution to the development of the television broadcast art.
2. That the program of research and experimentation will be conducted by qualified engineers.
3. That the applicant is legally and financially qualified and possesses adequate technical facilities to carry forward the program.
4. That the public interest, convenience, and/or necessity will be served through the operation of the proposed station.

1033. (a) A licensee of a television broadcast station shall not make any charge, directly or indirectly, for the transmission of either aural or visual programs.

(b) In the case of experimental televising of the production of a commercial broadcast program, all commercial announcements not a part of the entertainment continuity shall be eliminated from the television broadcast except the mere statement of the name of the sponsor or product or the televising of the trade-mark, symbol, slogan, or product of the sponsor; *Provided, however,* That when the program transmission is incidental to the experiments being conducted and not featured, and subject to interruptions as the experiments may require, the commercial announcements may be broadcast aurally.

(c) No licensee of any other broadcast station or network shall make any additional charge, directly or indirectly, for the simultaneous transmission of the aural or

visual program by a television broadcast station, nor shall commercial accounts be solicited by the licensee of another broadcast station or network, or by others acting in their behalf upon the representation that the commercial program will also be transmitted by a television broadcast station.

(d) The synchronized sound (aural) program of a television broadcast station may be broadcast by a regular broadcast station, provided:

1. That no announcements or references shall be made over the regular broadcast station regarding the operation of the television broadcast station, except the mere statement that the program being transmitted is the sound or aural program of a television broadcast station (identify by call letters).

2. That the call letter designation when identifying the television broadcast station shall be given on its assigned frequency only.

1034. (a) The following groups of frequencies are allocated by bands for assignment to television broadcast stations on an experimental basis:

Group A	Group B	Group C	Group D
Kilocycles 2,900 to 2,100	Kilocycles 42,000 to 29,000	Kilocycles 60,000 to 49,000	Any 6,000 kilocycles frequency band above 110,000 kilocycles extending 400,000 to 401,000 kilocycles.

(b) A licensee of a television station for Group A shall carry forward a comprehensive program of experimentation to determine the secondary or rural coverage of the station, and shall suitably locate receiving equipment and other apparatus, and shall make the necessary measurements to determine the quality and characteristics of the secondary or sky-wave service area. Television transmission only will be authorized in this band, and each license will authorize the entire band. No aural broadcast will be authorized therein.

(c) A license for a television broadcast station in groups B, C, or D will specify a frequency band wherein two adjacent carrier frequencies shall be selected, one for the visual and one for the aural broadcast. The lower carrier frequency shall be for visual broadcast and the higher carrier frequency for the aural broadcast.

(d) A licensee will be granted only one station in each frequency group for operation in the same service area.

(e) An application may be made for one frequency band (to include the visual and the aural carriers) in groups B, C, and D. However, if it is desired to operate in more than one group, it will be necessary to make separate applications for a station in each group.

(f) Applicants shall specify the band width of the emissions required for the proposed transmission.

(g) Carrier frequencies shall be so selected and emissions controlled that no emission from any cause will result outside the frequency band authorized by the license.

(h) An applicant shall select a frequency band in the group which is believed best suited for the experiments to be conducted and will cause the least or no interference to established stations.

1035. The power output rating of a television broadcast station shall not be in excess of that necessary to carry forward the program of research. The operating power may be maintained at the maximum rating or less, as the conditions of operation may require.

1036. A supplemental report shall be filed with and made a part of each application for renewal of license and shall include statements of the following:

1. Number of hours operated for transmission of television programs.
2. Comprehensive report of research and experimentation conducted.
3. Conclusions and program for further developments of the television broadcast service.

4. All developments and major changes in equipment.
5. Any other pertinent developments.

FACSIMILE BROADCAST STATIONS

1040. The term "facsimile broadcast station" means a station licensed to transmit images of still objects for record reception by the general public.

1041. A license for a facsimile broadcast station will be issued only after a satisfactory showing has been made in regard to the following, among others:

1. That the applicant has a program of research and experimentation which indicates reasonable promise of substantial contribution to the development of the facsimile broadcast service.

2. That the program of research and experimentation will be conducted by qualified engineers.

3. That the applicant is legally and financially qualified and possesses adequate technical facilities to carry forward the program.

4. That the public interest, convenience, and/or necessity will be served through the operation of the proposed station.

1042. (a) A licensee of a facsimile broadcast station shall not make any charge, directly or indirectly, for the transmission of programs.

(b) No licensee of any other broadcast station or network shall make any additional charge, directly or indirectly, for the transmission of programs by a facsimile broadcast station, nor shall commercial accounts be solicited by any licensee of another broadcast station or network, or others acting in their behalf, upon representation that images concerning that commercial program will be transmitted by a facsimile station.

1043. (a) The following frequencies are allocated for assignment to facsimile broadcast stations on an experimental basis provided no interference is caused to the television stations operating in the band 2,000-2,100 kilocycles:

2,012 kc	2,016 kc	2,096 kc
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(b) If the facsimile program of research and experimentation cannot be properly carried forward on the frequencies in subsection (a) of this rule due to the characteristics of these frequencies, applicants may request and be assigned any frequency specified in Rule 1073 on an experimental basis.

(c) Other frequencies under the jurisdiction of the Commission may be assigned for experimental operation of facsimile broadcast stations on an experimental basis provided a sufficient need therefor is shown and no interference will be caused to established radio stations.

(d) Each facsimile broadcast station will be licensed for only one frequency except in subsection (b) of this rule more than one frequency may be licensed to one station if need therefor is shown.

(e) Each applicant shall specify the frequency or frequencies desired and the maximum modulating frequencies proposed to be employed.

(f) The operating frequency of a facsimile broadcast station shall be maintained in accordance with the frequency assignments as shown by Rule 980 provided, however, where a more strict adherence to the assigned frequency is necessary to prevent interference, the Commission will specify the tolerance.

(g) A facsimile broadcast station authorized to operate on frequencies regularly allocated to other stations or services shall be required to abide by all rules governing the stations regularly operating thereon, which are applicable to facsimile broadcast stations and are not in conflict with Rules 980 to 986, inclusive, and Rules 1030 to 1039, inclusive, excluding Rule 1035.

1044. The power output rating of a facsimile broadcast station shall not be in excess of that necessary to carry forward the program of research. The operating power may be maintained at the maximum rating or less, as the conditions of operation may require.

1045. A supplemental report shall be filed with and made a part of each application for renewal of license and shall include statements of the following:

1. Number of hours operated for transmission of facsimile programs.

2. Comprehensive report of research and experimentation conducted.

3. Conclusions and program for further developments of the facsimile broadcast service.

4. All developments and major changes in equipment.

5. Any other pertinent developments.

HIGH FREQUENCY BROADCAST STATIONS

1050. The term "high frequency broadcast station" means a station licensed on frequencies above 25,000 kilocycles for transmission of aural programs for general public reception. The frequencies for these stations are allocated on an experimental basis.

1051. A license for a high frequency broadcast station will be issued only after a satisfactory showing has been made in regard to the following, among others:

1. That the applicant has a program of research and experimentation which indicates reasonable promise of substantial contribution to the development of very high frequency broadcasting.

2. That data will be taken on the propagation characteristics of these frequencies; on the shadows cast by buildings, hills, large bridges, etc.; on the noise level in different parts of the city; on the field intensity necessary to render good broadcast service; on antenna design and characteristics with respect to propagation; and on other allied phases of broadcast coverage.

3. That the research and experimentation will be conducted by qualified engineers.

4. That the applicant is legally and financially qualified and possesses adequate technical facilities to carry forward the program.

5. That the public interest, convenience, and necessity will be served through the operation of the proposed station.

1052. (a) A licensee of a high frequency broadcast station shall not make any charge, directly or indirectly, for the transmission of programs, but may transmit the programs of a regular broadcast station or network including commercial programs, if the call letter designation when identifying the high frequency broadcast station is given on its assigned frequencies only and the statement is made over the high frequency broadcast station that the program of a broadcast station or network (identify by call letters or name of network) is being broadcast. In case of the rebroadcast of the program of any broadcast station, Rule 177 applies.

(b) No licensee of any other broadcast station or network shall make any additional charge, directly or indirectly, for the simultaneous transmissions of programs by the high frequency broadcast station, nor shall commercial accounts be solicited by a licensee of another broadcast station or network, or by others acting in their behalf upon representation that the commercial program will also be transmitted by a high frequency broadcast station.

1053. (a) The following groups of frequencies are allocated for high frequency broadcast stations on an experimental basis:

Group A	Group B	Group C	Group D	Group E
Kilocycles 25,950 26,050 26,100 26,160	Kilocycles 26,400 26,450 26,500 26,550	Kilocycles 31,600 35,600 38,600 41,000	Kilocycles 40,300 41,200 41,600 41,800	Any four frequencies above 85,000 kilocycles except in the band 400,000 to 401,000 kilocycles.

(b) Frequencies in groups A and B will be assigned exclusively for amplitude modulation with a band width for high fidelity transmission (30 kilocycles maximum). Frequencies in groups C and E will be assigned for either ampli-

tude modulation with the above band width or frequency modulation with a total band width not greater than 200 kilocycles. Frequencies in group D will be assigned exclusively for frequency modulation with a band width of not greater than 200 kilocycles.

(c) In groups A, B, and D only one frequency from each group will be assigned a licensee for operation in the same service area. A separate license and call letters will be assigned for each frequency. In group C all four frequencies and in group E any four frequencies will be authorized by each license. A license authorizes operation on only one of the four assigned frequencies at any one time.

(d) An applicant shall file separate application for each frequency requested in groups A, B, or D. Each application therefor shall specify all four frequencies in Group C and any four frequencies in Group E.

(e) An applicant shall select the frequency which it is believed is best suited for the experiments to be conducted and which will cause the least or no interference to established stations.

(f) A licensee operating on a frequency in Groups A or B shall request reports concerning any reception outside the North American Continent. The request for reports shall be made several times each day, when the station identification is given.

1054. (a) No high frequency broadcast station will be licensed for an output power rating greater than 1,000 watts unless the applicant can show that greater power is needed to carry on a special program of research.

(b) While conducting apparatus experiments and in case adequate signal for reliable service can be delivered with less power, the operating output may be reduced accordingly.

1055. Each high frequency broadcast station transmitter shall be equipped with automatic frequency control apparatus so designed and constructed that it is capable of maintaining the operating frequency within plus or minus 0.01% of the assigned frequency.

1056. A supplemental report shall be filed with each and made a part of the application for renewal of license and shall include statements of the following, among others:

1. The number of hours operated.
2. Data taken in compliance with Rule 1051 (2).
3. Outline of reports of reception and interference and conclusions with regard to propagation characteristics of the frequency assigned.
4. Research and experiments being carried on to improve transmission and to develop broadcasting on the very high frequencies.
5. All developments or major changes in equipment.
6. Any other pertinent developments.
7. Comprehensive summary of all reports received. See Rule 1053 (f).

EXPERIMENTAL BROADCAST STATIONS

1070. The term "experimental broadcast station" means a station licensed to carry on development and research for the advancement of broadcast services along lines other than those prescribed by other broadcast rules.

1071. (a) Licenses for experimental broadcast stations will be issued only after a satisfactory showing has been made in regard to the following, among others:

1. That the applicant has a program of research and development which cannot be successfully carried on under any of the classes of broadcast stations already allocated, or is distinctive from those classes.
2. That the program of research has reasonable promise of substantial contribution to the development of broadcasting, or is along lines not already thoroughly investigated.
3. That the program of research and experimentation will be conducted by qualified persons.
4. That the applicant is legally and financially qualified and possesses adequate technical facilities to carry forward the program.

5. That the public interest, convenience, and necessity will be served through the operation of the proposed station.

(b) A separate experimental broadcast station license will be issued for each major development proposed to be carried forward. When it is desired to carry on several independent developments, it will be necessary to make satisfactory showing and obtain a license for each.

1072. (a) A licensee of experimental broadcast stations shall broadcast programs only when they are necessary to the experiments being conducted. No regular program service shall be broadcast unless specifically authorized by the license.

1072. (b) A licensee of an experimental broadcast station shall not make any charge, directly or indirectly, for the transmission of programs, but may transmit the programs of a regular broadcast station or network including commercial programs, if the call letter designation when identifying the experimental broadcast station is given on its assigned frequency only and the statement is made over the experimental broadcast station that the program of a broadcast station or network (identify by call letters or name of network) is being broadcast in connection with the experimental work. In case of the rebroadcast of the program of any broadcast station, Rule 177 applies.

1073. (a) The following frequencies are allocated for assignment to experimental broadcast stations:

1,614		23,100
2,396	2,398	25,700
2,400		26,000
		27,100
3,490	3,492.5	30,100
3,495		31,100
		31,600
		33,100
4,795	4,797.5	34,600
4,800		35,600
		37,100
6,420	6,425	37,600
6,430		38,600
		40,100
8,650	8,655	40,600
8,660		41,000
		46,000 to 400,000
12,855	12,862.5	401,000 and above
12,870		
17,300	17,310	
17,320		

(b) A license will be issued for more than one of these frequencies upon a satisfactory showing that there is need therefor.

(c) The frequencies suited to the purpose and in which there appears to be the least or no interference to established stations shall be selected.

(d) In cases of important experimentation which cannot be conducted successfully on the frequencies allocated in subsection (a) of this Rule, the Commission may authorize experimental broadcast stations to operate on any frequency allocated for broadcast stations or any frequencies allocated for other services under the jurisdiction of the Commission upon satisfactory showing that such frequencies can be used without causing interference to established services.

1074. (a) The operating frequency of an experimental broadcast station shall be maintained in accordance with the frequency tolerance as shown by Rule 920, provided, however, where a more strict adherence to the assigned frequency is necessary to prevent interference, the Commission will specify the tolerance.

(b) The power output rating of an experimental broadcast station will not be in excess of that necessary to carry on the

* Also available for assignment to general experimental stations in services other than broadcast.

program of research. The operating power may be maintained at the maximum rating or less, as the conditions of operation may require.

1075. A supplemental report shall be filed with and made a part of each application for renewal of license and shall include statements of the following, among others:

1. The number of hours operated.
2. Comprehensive report on research and experiments conducted.
3. Conclusions and program for further development of the broadcast service.
4. All developments and major changes in equipment.
5. Any other pertinent developments.

1076. An experimental broadcast station authorized to operate on frequencies regularly allocated to other stations or services, shall be required to abide by all rules governing the stations operating regularly thereon which are applicable to experimental broadcast stations and are not in conflict with Rules 980 to 986, inclusive, and Rules 1070 to 1075, inclusive.

SPECIAL BROADCAST STATIONS

970. (a) The following frequencies are allocated for assignment to special broadcast stations on an experimental basis: 1530, 1550, and 1570 kilocycles. Two or more stations may be licensed for simultaneous operation on each frequency.

(b) Licenses for special broadcast stations will be issued only after a satisfactory showing has been made in regard to the following, among others:

1. That the applicant has a program of research and experimentation which indicates reasonable promise of substantial contribution to the development and practical application of high fidelity broadcasting, and will be in addition to and advancement of the work done by other classes of regular broadcast stations.

2. That the program of research and experimentation includes a thorough study of advanced antenna design, field intensity surveys and plans for a comprehensive analysis of the response of listeners.

3. That the transmitter and all studios will be equipped so that transmission will be of high fidelity.

4. That the operation and experimentation will be under the direct supervision of a qualified engineer with an adequate staff of engineers qualified to carry on the program of research and experimentation.

5. That the programs transmitted, either sponsored or sustaining will not interfere with the proper prosecution of the program of research and experimentation.

6. That the applicant is legally and financially qualified and possesses adequate technical facilities to carry forward the program of research and experimentation.

7. That the program of research and experimentation will be reasonably independent of the income derived from sponsored programs.

8. That the public interest, convenience, and necessity will be served through the operation of the proposed station.

(c) The Commission may require from time to time a licensee of a special broadcast station to conduct experiments that are deemed desirable and reasonable for the development of the service.

(d) The program of research and experimentation as offered in compliance with the requirements of obtaining a license for a special broadcast station, shall be adhered to in the main unless the licensee is authorized to do otherwise by the Commission.

(e) The authorized power of a special broadcast station will not exceed 1 kilowatt. However, the licensee may operate at less than the authorized power where such operation facilitates experimentation.

(f) The licensee of a special broadcast station is not required to adhere to a regular schedule, but shall actively conduct a program of research and experimentation or transmission of programs.

(g) A supplemental report shall be filed with and made a part of each application for a renewal of license of a special broadcast station, and shall include statements of the following in the order designated:

1. Comprehensive summary of all research and experimentation conducted.
2. Conclusions and outline of proposed program for further research and development.
3. Number of hours operated, including percentage of sponsored programs.
4. Fidelity characteristics of the equipment, including the transmitter, studio equipment, and the telephone lines over which the programs are regularly carried from the studio to the transmitter, and the methods used to determine such characteristics.

(h) All rules applying to regular broadcast stations shall apply equally to special broadcast stations, except where in conflict with any term of this rule.

[SEAL]

JOHN B. REYNOLDS,
Acting Secretary.

[F. R. Doc. 1990—Filed, August 29, 1936; 10:16 a. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 24th day of August A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2607]

IN THE MATTER OF J. K. LEVY, ALIAS J. K. LEE, AND DAVID LEVY, CO-PARTNERS, TRADING AS LEVORE COMPANY, AND J. K. LEVY, ALIAS, J. K. LEE, INDIVIDUALLY

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41);

It is ordered, that W. W. Sheppard, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, that the taking of testimony in this proceeding begin on Tuesday, September 8, 1936, at nine o'clock in the forenoon of that day (central standard time), at room 1123, New Post Office Building, 433 West Van Buren Street, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

ORIS B. JOHNSON, *Secretary.*

[F. R. Doc. 1991—Filed, August 29, 1936; 11:33 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 24th of August A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2610]

IN THE MATTER OF GRANITE ARTS, INC., A CORPORATION
ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR
TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41);

It is ordered, that W. W. Sheppard, an examiner of this Commission, be, and he hereby is, designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, that the taking of testimony in this proceeding begin on Tuesday, September 1, 1936, at ten o'clock in the forenoon of that day (central standard time), at the Hotel Paxton, Omaha, Nebraska.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 1992—Filed, August 29, 1936; 11:33 a. m.]

*United States of America—Before Federal Trade
Commission*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 24th day of August A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2775]

IN THE MATTER OF HELEN ARDELLE, INC., A CORPORATION
ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR
TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41);

It is ordered, that Henry M. White, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, that the taking of testimony in this proceeding begin on Wednesday, September 23, 1936, at ten o'clock in the forenoon of that day (Pacific standard time), in Room 801, Federal Building, Seattle, Washington.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 1993—Filed, August 29, 1936; 11:33 a. m.]

*United States of America—Before Federal Trade
Commission*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of August A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

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[Docket No. 2862]

IN THE MATTER OF H. R. ZIMMER
ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR
TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41);

It is ordered, that Charles P. Vicini, an examiner of this Commission, be, and he hereby is, designated and appointed to take testimony and receive evidence in this proceeding, and to perform all other duties authorized by law;

It is further ordered, that the taking of testimony in this proceeding begin on Monday, September 14, 1936, at three o'clock in the afternoon of that day (Pacific Standard Time), at room 318, Los Angeles Chamber of Commerce, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 1994—Filed, August 29, 1936; 11:34 a. m.]

*United States of America—Before Federal Trade
Commission*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of August A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2443]

IN THE MATTER OF UNIVERSAL DISTILLERS, INC.
ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR
TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41);

It is ordered, that Charles P. Vicini, an examiner of this Commission, be, and he hereby is, designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, that the taking of testimony in this proceeding begin on Friday, September 11, 1936, at three o'clock in the afternoon of that day (Pacific Standard Time), in room 318, Los Angeles Chamber of Commerce, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 1996—Filed, August 31, 1936; 9:44 a. m.]

*United States of America—Before Federal Trade
Commission*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of August A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, W. A. Ayres, Robert E. Freer.

[Docket No. 2698]

IN THE MATTER OF AVALON CANDY CORPORATION, A CORPORATION
ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR
TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41);

It is ordered, that Charles P. Vicini, an examiner of this Commission, be, and he hereby is, designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, that the taking of testimony in this proceeding begin on Friday, September 11, 1936, at two o'clock in the afternoon of that day (Pacific Standard Time) in room 318, Los Angeles Chamber of Commerce, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 1997—Filed, August 31, 1936; 9:44 a. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of August A. D. 1936.

[Docket No. BMC 57]

APPLICATION OF GEORGE M. PEPIN, ALFRED J. PEPIN, RALPH FAIRCHILD, AND FRED ANGELERI FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of George M. Pepin, Alfred J. Pepin, Ralph Fairchild, and Fred Angeleri, Co-partners, Doing Business as Crescent Transportation Co., of 17 Patten Street, Springfield, Mass., for a Permit (Form B. M. C. 1) Authorizing Operation as a Contract Carrier, by Motor Vehicle, in the Transportation of Commodities Generally, in Interstate Commerce, Over the Following Routes

Route No. 1.—Between Boston, Mass., and Newark, N. J.

Route No. 2.—Between Springfield, Mass., and Albany, N. Y.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. R. Naefe for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner P. R. Naefe on the 30th day of September A. D. 1936, at 9 o'clock a. m. (standard time), at the Hotel Lenox, Boston, Mass.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date

of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 2012—Filed, August 31, 1936; 12:31 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of August A. D. 1936.

[Docket No. BMC 57]

APPLICATION OF GEORGE M. PEPIN, ALFRED PEPIN, RALPH FAIRCHILD, AND FRED ANGELERI FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of George M. Pepin, Alfred Pepin, Ralph Fairchild, and Fred Angeleri, Co-partners, Doing Business as Crescent Transportation Co., of 17 Patten Street, Springfield, Mass., for a Permit, Form BMC 10, to Extend Its Present Operation Filed on Form BMC 1, Authorizing Operation as a Contract Carrier, by Motor Vehicle, in the Transportation of Alcoholic Beverages, in Interstate Commerce Over the Following Routes

Route No. 1.—Between Bangor, Maine, and Trenton, N. J.

Route No. 2.—Between Springfield, Mass., and Portsmouth and Laconia, N. H., Newport and Burlington, Vt., Albany, N. Y., Trenton, N. J., Providence, R. I., and New London, Conn.

Route No. 3.—Between Portsmouth, N. H., and Bangor, Maine.

Route No. 4.—Between Portland and Augusta, Maine.

Route No. 5.—Between Portsmouth and Berlin, N. H.

Route No. 6.—Between Bennington, Vt., and Concord, N. H.

Route No. 7.—Between Portland and Lewiston, Maine.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. R. Naefe for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner P. R. Naefe on the 30th day of September A. D. 1936, at 9 o'clock a. m. (standard time), at the Hotel Lenox, Boston, Mass.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 2014—Filed, August 31, 1936; 12:32 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of August A. D. 1936.

[Docket No. BMC 1185]

APPLICATION OF GEORGE TAREILA AND ERLIN RAMSBOTHAM FOR
AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of George Tareila and Erlin Ramsbotham, Co-partners, Doing Business as Tri-State Transportation Co., of 273 Rogers St., Lowell, Mass., for a Permit (Form B. M. C. 1) Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, Between Points Located in the States of Massachusetts, New Hampshire, Maine, and Rhode Island, Over the Following Routes

- Route No. 1.—Between Portland and Addison, Maine.
- Route No. 2.—Between Brunswick and Bingham, Maine.
- Route No. 3.—Between Fairfield and Corinna, Maine.
- Route No. 4.—Between Corinna and Dover-Foxcroft, Maine.
- Route No. 5.—Between Dover-Foxcroft and Milo, Maine.
- Route No. 6.—Between Milo and Lagrange, Maine.
- Route No. 7.—Between Lagrange and Howland, Maine.
- Route No. 8.—Between Rumford and Houlton, Maine.
- Route No. 9.—Between Portland and Bethel, Maine.
- Route No. 10.—Between Gray and Farmington, Maine.
- Route No. 11.—Between Lewiston and Belfast, Maine.
- Route No. 12.—Between Waterville and Belfast, Maine.
- Route No. 13.—Between Nashua and Whitefield, N. H.
- Route No. 14.—Between Andover and Lebanon, N. H.
- Route No. 15.—Between Hinsdale and Littleton, N. H.
- Route No. 16.—Between Chesterfield and Hopkinton, N. H.
- Route No. 17.—Between Hinsdale and Littleton, N. H.
- Route No. 18.—Between State Line and Lebanon, N. H.
- Route No. 19.—Between Nashua and Keene, N. H.
- Route No. 20.—Between Manchester and Henniker, N. H.
- Route No. 21.—Between Henniker and Guild, N. H.
- Route No. 22.—Between West Claremont and Rochester, N. H.
- Route No. 23.—Between Wilton and Hampton, N. H.
- Route No. 24.—Between Concord and Portsmouth, N. H.
- Route No. 25.—Between Nashua and Epping, N. H.
- Route No. 26.—Between Concord and Laconia, N. H.
- Route No. 27.—Between Rochester and Shelburne, N. H.
- Route No. 28.—Between Jackson and Waterford, N. H.
- Route No. 29.—Between Chichester and Ossipee, N. H.
- Route No. 30.—Between Meredith and Whittier, N. H.
- Route No. 31.—Between Newburyport, Mass., and Pawtucket, R. I.
- Route No. 32.—Between Springfield and Boston, Mass.
- Route No. 33.—Between Boston and Dunstable, Mass.
- Route No. 34.—Between Shrewsbury and Salisbury, Mass.
- Route No. 35.—Between Waltham and Leominster, Mass.
- Route No. 36.—Between Ludlow and Athol, Mass.
- Route No. 37.—Between Springfield and Turners Falls, Mass.
- Route No. 38.—Between Turners Falls and Gardner, Mass.
- Route No. 39.—Between Worcester and Athol, Mass.
- Route No. 40.—Between Palmer and Barre, Mass.
- Route No. 41.—Between Hadley and Worcester, Mass.
- Route No. 42.—Between Shrewsbury and Winchen, Mass.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. R. Naeff for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner P. R. Naeff on the 24th day of September A. D. 1936, at 9 o'clock a. m. (standard time) at the Hotel Lenox, Boston, Mass.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2001—Filed, August 31, 1936; 12:23 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of August A. D. 1936.

[Docket No. BMC 6239]

APPLICATION OF ALICE G. TAREILA FOR AUTHORITY TO OPERATE
AS A CONTRACT CARRIER

In the Matter of the Application of Alice G. Tareila, Individual, Doing Business as Hawk Transportation Co., of 273 Rogers St., Lowell, Mass., for a Permit (Form B. M. C. 1) Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally in Interstate Commerce, Between Points Located in the States of Massachusetts, Maine, New Hampshire, and Rhode Island, Over the Following Routes

- Route No. 1.—Between Portland and Addison, Maine.
- Route No. 2.—Between Brunswick and Bingham, Maine.
- Route No. 3.—Between Fairfield and Corinna, Maine.
- Route No. 4.—Between Corinna and Dover-Foxcroft, Maine.
- Route No. 5.—Between Dover-Foxcroft and Milo, Maine.
- Route No. 6.—Between Milo and Lagrange, Maine.
- Route No. 7.—Between Lagrange and Howland, Maine.
- Route No. 8.—Between Rumford and Houlton, Maine.
- Route No. 9.—Between Portland and Bethel, Maine.
- Route No. 10.—Between Gray and Farmington, Maine.
- Route No. 11.—Between Lewiston and Belfast, Maine.
- Route No. 12.—Between Waterville and Belfast, Maine.
- Route No. 13.—Between Nashua and Whitefield, N. H.
- Route No. 14.—Between Andover and Lebanon, N. H.
- Route No. 15.—Between Hinsdale and Littleton, N. H.
- Route No. 16.—Between Chesterfield and Hopkinton, N. H.
- Route No. 17.—Between Hinsdale and Littleton, N. H.
- Route No. 18.—Between State Line and Lebanon, N. H.
- Route No. 19.—Between Nashua and Keene, N. H.
- Route No. 20.—Between Manchester and Henniker, N. H.
- Route No. 21.—Between Henniker and Guild, N. H.
- Route No. 22.—Between West Claremont and Rochester, N. H.
- Route No. 23.—Between Wilton and Hampton, N. H.
- Route No. 24.—Between Concord and Portsmouth, N. H.
- Route No. 25.—Between Nashua and Epping, N. H.
- Route No. 26.—Between Concord and Laconia, N. H.
- Route No. 27.—Between Rochester and Shelburne, N. H.
- Route No. 28.—Between Jackson and Waterford, N. H.
- Route No. 29.—Between Chichester and Ossipee, N. H.
- Route No. 30.—Between Meredith and Whittier, N. H.
- Route No. 31.—Between Newburyport, Mass., and Pawtucket, R. I.
- Route No. 32.—Between Springfield and Boston, Mass.
- Route No. 33.—Between Boston and Dunstable, Mass.
- Route No. 34.—Between Shrewsbury and Salisbury, Mass.
- Route No. 35.—Between Waltham and Leominster, Mass.
- Route No. 36.—Between Ludlow and Athol, Mass.
- Route No. 37.—Between Springfield and Turners Falls, Mass.
- Route No. 38.—Between Turners Falls and Gardner, Mass.
- Route No. 39.—Between Worcester and Athol, Mass.
- Route No. 40.—Between Palmer and Barre, Mass.
- Route No. 41.—Between Hadley and Worcester, Mass.
- Route No. 42.—Between Shrewsbury and Winchen, Mass.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. R. Naefe for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner P. R. Naefe on the 24th day of September A. D. 1936, at 9 o'clock a. m. (standard time) at the Hotel Lenox, Boston, Mass.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served:

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2002—Filed, August 31, 1936; 12:28 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of August A. D. 1936.

[Docket No. BMC 50806]

APPLICATION OF ALICE G. TAREILA FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Alice G. Tareila, Individual, Doing Business as Hawk Transportation Co., of 273 Rogers St., Lowell, Mass., for a Certificate of Public Convenience and Necessity (Form B. M. C. 8, New Operation), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, Between Points Located in the States of Massachusetts, New Hampshire, Maine, and Rhode Island, Over the Following Routes

- Route No. 1.—Between Portland and Addison, Maine.
- Route No. 2.—Between Brunswick and Bingham, Maine.
- Route No. 3.—Between Fairfield and Corinna, Maine.
- Route No. 4.—Between Corinna and Dover-Foxcroft, Maine.
- Route No. 5.—Between Dover-Foxcroft and Milo, Maine.
- Route No. 6.—Between Milo and Lagrange, Maine.
- Route No. 7.—Between Lagrange and Howland, Maine.
- Route No. 8.—Between Rumford and Houlton, Maine.
- Route No. 9.—Between Portland and Bethel, Maine.
- Route No. 10.—Between Gray and Farmington, Maine.
- Route No. 11.—Between Lewiston and Belfast, Maine.
- Route No. 12.—Between Waterville and Belfast, Maine.
- Route No. 13.—Between Nashua and Whitefield, N. H.
- Route No. 14.—Between Andover and Lebanon, N. H.
- Route No. 15.—Between Hinsdale and Littleton, N. H.
- Route No. 16.—Between Chesterfield and Hopkinton, N. H.
- Route No. 17.—Between Hinsdale and Littleton, N. H.
- Route No. 18.—Between State Line and Lebanon, N. H.
- Route No. 19.—Between Nashua and Keene, N. H.
- Route No. 20.—Between Manchester and Henniker, N. H.
- Route No. 21.—Between Henniker and Guild, N. H.
- Route No. 22.—Between West Claremont and Rochester, N. H.
- Route No. 23.—Between Wilton and Hampton, N. H.
- Route No. 24.—Between Concord and Portsmouth, N. H.
- Route No. 25.—Between Nashua and Epping, N. H.

- Route No. 26.—Between Concord and Laconia, N. H.
- Route No. 27.—Between Rochester and Shelburne, N. H.
- Route No. 28.—Between Jackson and Waterford, N. H.
- Route No. 29.—Between Chichester and Ossipee, N. H.
- Route No. 30.—Between Meredith and Whittier, N. H.
- Route No. 31.—Between Newburyport, Mass., and Pawtucket, R. I.
- Route No. 32.—Between Springfield and Boston, Mass.
- Route No. 33.—Between Boston and Dunstable, Mass.
- Route No. 34.—Between Shrewsbury and Sallsbury, Mass.
- Route No. 35.—Between Waltham and Leominster, Mass.
- Route No. 36.—Between Ludlow and Athol, Mass.
- Route No. 37.—Between Springfield and Turners Falls, Mass.
- Route No. 38.—Between Turners Falls and Gardner, Mass.
- Route No. 39.—Between Worcester and Athol, Mass.
- Route No. 40.—Between Palmer and Barre, Mass.
- Route No. 41.—Between Hadley and Worcester, Mass.
- Route No. 42.—Between Shrewsbury and Winchen, Mass.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. R. Naefe for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner P. R. Naefe on the 24th day of September, A. D. 1936, at 9 o'clock a. m. (standard time), at the Hotel Lenox, Boston, Mass.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carrier of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2003—Filed, August 31, 1936; 12:28 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of August A. D. 1936.

[Docket No. BMC 39371]

APPLICATION OF OLD COLONY COACH LINES, INC., FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Old Colony Coach Lines, Inc., Doing Business as Grey Lines, of 222 Boylston Street, Boston, Massachusetts, for a Certificate of Public Convenience and Necessity (Form B. M. C. 1), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce in the States of Maine, New Hampshire, Massachusetts, and Rhode Island, Over the Following Routes

- Route No. 1.—Between Boston, Mass., and Bangor, Maine.
- Route No. 2.—Between Boston, Mass., and Smithtown, N. H.
- Route No. 3.—Between Boston, Mass., and Providence, R. I., via North Attleboro, Mass.
- Route No. 4.—Between Dedham and North Attleboro, Mass.
- Route No. 5.—Between Boston, Mass., and Providence, R. I., via Quincy, Brockton, and Taunton, Mass.

Route No. 6.—Between Rochester, N. H., and Sanford, Maine.
 Route No. 7.—Between Boston, Mass., and Rochester, N. H.
 Route No. 8.—Between Bangor, Maine, and St. Stephen, New Brunswick, Canada.
 Route No. 9.—Between Bangor, Maine, and Woodstock, New Brunswick, Canada.
 Route No. 10.—Between Boston, Mass., and Belfast, Maine.
 Route No. 11.—Between Boston and Springfield, Mass.
 Route No. 12.—Between Boston and Williamstown, Mass.
 Route No. 13.—Between Boston and Longmeadow, Mass.
 Route No. 14.—Between Augusta, Maine, and international boundary of Maine and Quebec.
 Route No. 15.—Between Worcester and Palmer, Mass.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. R. Naefe for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner P. R. Naefe on the 25th day of September A. D. 1935, at 9 o'clock a. m. (standard time), at the Hotel Lenox, Boston, Mass.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2004—Filed, August 31, 1936; 12:29 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of August A. D. 1936.

[Docket No. BMC 39372]

APPLICATION OF OLD COLONY COACH LINES, INC., FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Old Colony Coach Lines, Inc., Doing Business as Grey Lines, of 222 Boylston Street, Boston, Mass., for a Certificate of Public Convenience and Necessity (Form B. M. C. 2), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Persons, Light Express, and Newspapers in the Interstate Commerce in the States of Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, and New York, Over the Following Routes

Route No. 1.—Between Boston, Mass., and Bangor, Maine.
 Route No. 2.—Between Boston, Mass., and Smithtown, N. H.
 Route No. 3.—Between Portland and Saco, Maine.
 Route No. 4.—Between Bangor, Maine, and St. Stephen, New Brunswick, Canada.
 Route No. 5.—Between Bangor, Maine, and Woodstock, New Brunswick, Canada.
 Route No. 6.—Between Boston, Mass., and Belfast, Maine.
 Route No. 7.—Between Boston and Springfield, Mass.
 Route No. 8.—Between Northboro and Auburn, Mass.
 Route No. 9.—(Seasonal operation) Between Boston, Mass., and Albany, N. Y.

Route No. 10.—Between Boston, Mass., and Providence, R. I. via North Attleboro, Mass.
 Route No. 11.—Between Dedham and North Attleboro, Mass.
 Route No. 12.—Between Boston, Mass., and Providence, R. I., via Quincy, Brockton, and Taunton, Mass.
 Route No. 13.—Between Holbrook and Brockton, Mass.
 Route No. 14.—Between Boston, Mass., and New York, N. Y.
 Route No. 15.—Between Port Chester and New York, N. Y.
 Route No. 16.—Between Providence, R. I., and New Haven, Conn.
 Route No. 17.—Between Hopkinton and New London, Conn.
 Route No. 18.—Between Boston, Mass., and Concord, N. H.
 Route No. 19.—Between Boston, Mass., and Manchester, N. H.
 Route No. 20.—Between Boston, Mass., and Rochester, N. H.
 Route No. 21.—Between Exeter and Dover, N. H.
 Route No. 22.—Between Hampton and Portsmouth, N. H.
 Route No. 23.—Between Providence, R. I., and New Bedford, Mass.

Also charter service.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. R. Naefe for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner P. R. Naefe on the 25th day of September A. D. 1936, at 9 o'clock a. m. (standard time), at the Hotel Lenox, Boston, Mass.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2010—Filed, August 31, 1936; 12:31 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of August, A. D. 1936.

[Docket No. BMC 39372]

APPLICATION OF OLD COLONY COACH LINES, INC., FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Old Colony Coach Lines, Inc., Doing Business as Grey Lines, of 222 Boylston St., Boston, Mass., for a Certificate of Public Convenience and Necessity, Form B. M. C. 9, to Extend Its Present Operations filed on Form B. M. C. 2, Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Persons, Light Express, and Newspapers in Interstate Commerce in the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island, Over the Following Routes

Route No. 1.—(Seasonal operation) Between Old Orchard, Maine, and Montpelier, Vt.

Route No. 2.—Between Amesbury, Mass., and Middletown, Conn.

Route No. 3.—Between Providence, R. I., and Worcester, Mass.

Route No. 4.—(Seasonal operation) Between Wiscasset and Newagen, Maine.

Route No. 5.—Between Perry and Eastport, Maine.

Also charter service.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. R. Naefe for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner P. R. Naefe on the 25th day of September A. D. 1936, at 9 o'clock a. m. (standard time), at the Hotel Lenox, Boston, Mass.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2011—Filed, August 31, 1936; 12:31 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 22nd day of August, A. D. 1936.

[Docket No. BMC 42131]

APPLICATION OF WILLIAM J. BEAL AND HORACE E. MCCLURE FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of William J. Beal, Horace E. McClure, Co-partners, Doing Business as Beal & McClure, of 1324½ Lincoln Avenue, Pittsburgh, Pa., for a Certificate of Public Convenience and Necessity (Form B. M. C. 8, new operation), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, with Exceptions, in Interstate Commerce, from and between Points in the States of New York, New Jersey, Ohio, and Pennsylvania, Over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner H. C. Lawton for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner H. C. Lawton, on the 25th day of September A. D. 1936, at 9 o'clock a. m. (standard time), at the Federal Building, Pittsburgh, Pa.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2006—Filed, August 31, 1936; 12:29 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 22nd day of August, A. D. 1936.

[Docket No. BMC 42537]

APPLICATION OF GEORGE CASSENS, ALBERT CASSENS, AND ARNOLD CASSENS FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of George Cassens, Albert Cassens, and Arnold Cassens, Co-partners, Doing Business as George Cassens & Sons, of Edwardsville, R. F. D. #3 (Hamel), Illinois, for a Certificate of Public Convenience and Necessity (Form BMC 1), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, including Automobiles, Auto Parts, and Accessories, in Interstate Commerce Over Irregular Routes From and Between Points Located in the States of Michigan, Indiana, Illinois, Kentucky, and Missouri, and Also Over the Following Regular Routes

Route No. 1.—Between Detroit, Mich., and St. Louis, Mo.

Route No. 2.—Between Staunton, Ill., and St. Louis, Mo.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner H. C. Lawton for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner H. C. Lawton, on the 22nd day of September A. D. 1936, at 9 o'clock a. m. (standard time), at the Hotel Sherman, Chicago, Illinois.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2007—Filed, August 31, 1936; 12:30 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of August A. D. 1936.

[Docket No. BMC 45626]

APPLICATION OF VERMONT TRANSIT COMPANY, INC., FOR
AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Vermont Transit Company, Inc., of 343 No. Winooski Ave., Burlington, Vermont, for a Certificate of Public Convenience and Necessity (Form B. M. C. A-2), Authorizing Operation as a Common Carrier, by Motor Vehicle, in the Transportation of Persons, Light Express, Mail, and Newspapers, in Interstate Commerce, Over the Following Routes

- Route No. 1.—Between Burlington, Vt., and Pittsfield, Mass.
Route No. 2.—Between Burlington and Barre, Vt.
Route No. 3.—Between Burlington, Vt., and Portland, Maine.
Route No. 4.—Between Burlington and Bellows Falls, Vt.
Route No. 5.—Between Burlington, Vt., and Albany, N. Y.
Route No. 6.—Between Burlington and Essex Junction, Vt.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. R. Naefe for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner P. R. Naefe, on the 17th day of September A. D. 1936 at 9 o'clock a. m. (standard time), at the U. S. Court Rooms, Montpelier, Vt.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2008—Filed, August 31, 1936; 12:30 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of August A. D. 1936.

[Docket No. BMC 50249]

APPLICATION OF H. HUNTER FULTZ FOR AUTHORITY TO OPERATE
AS A COMMON CARRIER

In the Matter of the Application of H. Hunter Fultz, of Leesburg, Va., for a Certificate of Public Convenience and Necessity (Form B. M. C. 8, new operation) Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, from and Between Points Located in the States of Virginia, Maryland, West Virginia, and the District of Columbia, Serving, but not Limited to, Washington, D. C., Baltimore, Md., and Kaiser, W. Va., Over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner F. R. Linn for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner F. R. Linn, on the 1st day of October A. D. 1936, at 10 o'clock a. m. (standard time), at the office of the Interstate Commerce Commission, Washington, D. C.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2013—Filed, August 31, 1936; 12:32 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of August A. D. 1936.

[Docket No. BMC 50394]

APPLICATION OF GEORGE EVERETT HEARTZ, FOR AUTHORITY TO
OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of George Everett Hartz, Individual, Doing Business as Hartz Transportation Company, of South Ryegate, Vermont, for a Permit (Form B. M. C. 10, new operation) Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Granite, Rough and Finished, and Coal, in Interstate Commerce in the States of Vermont, Massachusetts, Connecticut, New York, and Pennsylvania, Over the Following Routes

- Route No. 1.—Between South Ryegate, Vt., and Brooklyn, N. Y., via Northampton, Mass., and New Haven, Conn.
Route No. 2.—Between South Ryegate, Vt., and Myerstown, Pa.

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. R. Naefe for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner P. R. Naefe on the 18th day of September A. D. 1936, at 9 o'clock a. m. (standard time), at the U. S. Court Rooms, Montpelier, Vt.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 2009—Filed, August 31, 1936; 12:30 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 21st day of August A. D. 1936.

[Docket No. BMC 50524]

APPLICATION OF ROBERT NEWTON FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Robert Newton, of East Middlebury, Vt., for a Certificate of Public Convenience and Necessity (Form B. M. C. 8, New Operation) Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, From and Between Points Located in the States of Vermont, New York, New Jersey, and Pennsylvania, Serving But Not Limited to Middlebury, Cornwall, Shoreham, and Burlington, Vt., and New York City, N. Y., Over Irregular Routes.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. R. Naefe for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor.

It is further ordered, That this matter be set down for hearing before Examiner P. R. Naefe, on the 18th day of September A. D. 1936, at 9 o'clock a. m. (standard time), at the U. S. Court Rooms, Montpelier, Vermont.

It is further ordered, That notice of this proceeding be duly given.

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 2005—Filed, August 31, 1936; 12:29 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 29th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE MOORE-MACK FARM, FILED ON JULY 25, 1936, BY THOMAS D. BROWN & Co., RESPONDENT

CONSENT TO WITHDRAWAL OF FILING OF OFFERING SHEET AND ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, having been informed by the respondent that no sales of any of the interests covered by the offering sheet described in the title hereof have been made, and finding, upon the basis of such information, that the withdrawal of the filing of the said offering sheet, requested by such respondent, will be consistent with the public interest and the protection of investors, consents to the withdrawal of such filing but not to the removal of the said offering sheet, or any papers with reference thereto, from the files of the Commission; and

It is ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be, and the same are hereby, revoked and the said proceeding terminated.

By the Commission.

[SEAL]

ORVAL L. DU BOIS, *Acting Secretary*.

[F. R. Doc. 2017—Filed, August 31, 1936; 12:45 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE ROYAL-KELLER FARM, FILED ON AUGUST 3, 1936, BY THOMAS D. BROWN & Co., RESPONDENT

CONSENT TO WITHDRAWAL OF FILING OF OFFERING SHEET AND ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, having been informed by the respondent that no sales of any of the interests covered by the offering sheet described in the title hereof have been made, and finding, upon the basis of such information, that the withdrawal of the filing of the said offering sheet, requested by such respondent, will be consistent with the public interest and the protection of investors, consents to the withdrawal of such filing but not to the removal of the said offering sheet, or any papers with reference thereto, from the files of the Commission; and

It is ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be, and the same are hereby, revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2023—Filed, August 31, 1936; 12:47 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 31st day of August A. D. 1936.

[File No. 32-36]

IN THE MATTER OF NEVADA-CALIFORNIA ELECTRIC CORPORATION

NOTICE OF HEARING AND ORDER DESIGNATING TRIAL EXAMINER

A declaration having been duly filed with this Commission, by Nevada-California Electric Corporation pursuant to Section 7 (a) of the Public Utility Holding Company Act of 1935, whereby the Nevada-California Electric Company proposes to issue a non-negotiable long term note in the sum of \$3,745,800.66 to its wholly owned subsidiary, the Nevada-California Power Company to liquidate an open account indebtedness of that amount;

It is ordered that such matter be set down for hearing on September 15, 1936, at 10:00 o'clock in the forenoon of that day, at Room 1103, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before September 10, 1936.

It is further ordered, that Charles S. Moore, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2016—Filed, August 31, 1936; 12:45 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 29th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE LOVAL-CARTER-CRADDOCK FARM, FILED ON JULY 27, 1936, BY FREDRICK FALKIN & CO., RESPONDENT

ORDER FOR CONTINUANCE

The Securities and Exchange Commission, having been requested by its counsel for a continuance of the hearing in the above entitled matter, which was last set to be heard at 12:00 o'clock noon of the 29th day of August 1936, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 12:00 o'clock noon of the 31st day of August 1936 at the same place and before the same trial examiner.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2022—Filed, August 31, 1936; 12:47 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF AN OVER-RIDING ROYALTY INTEREST IN THE TATE-DAVIS FARM FILED ON AUGUST 12, 1936, BY JOHN H. BANKSTON, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission finding that the offering sheet filed with the Commissioner, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on August 26, 1936, be effective as of August 26, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be, and the same hereby are, revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2027—Filed, August 31, 1936; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SUNRAY-PHILLIPS-EAST STATE COMMUNITY LEASE FILED ON AUGUST 17, 1936, BY GEORGE PASQUELLA, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on August 26, 1936, be effective as of August 26, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2023—Filed, August 31, 1936; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 29th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE DARBY-GULF-KULTGEN FARM, FILED ON AUGUST 17, 1936, BY ROYAL PETROLEUM CORPORATION, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on August 27, 1936, be effective as of August 27, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be, and the same hereby are, revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2021—Filed, August 31, 1936; 12:47 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SHELL-SEEDLE FARM, FILED ON AUGUST 21, 1936, BY JOHN P. BOOTH, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that the date indicated, on Page 1, Division I, on which the information contained in the sheet will be out of date is miscalculated based on Items 15 and 16, Division II;

2. In that Item 15, Division II, does not check with Item 16 (a);

3. In that Item 16 (c), Division II, is miscalculated for May 1936;

4. In that in Exhibit A the number of wells has been omitted;

5. In that with respect to the Chat horizon in Division III, sufficient reasons have not been given for the selection of the six particular leases therein used as a basis for comparison, nor has sufficient data been given to show the comparability between the Shell-Seedle lease and the leases selected for comparison;

6. In that for the Chat horizon, Division III, neither reasons for nor methods used in estimating an average ultimate production of 15,000 barrels per acre from the leases selected for comparison have been given;

7. In that for the Chat horizon the report states in Item 2 (iii), Division III, that the estimate of recoverable oil is made only for that part of the tract now developed and producing; whereas the estimate actually includes 250,500 barrels from the portion of the tract not now developed and producing;

8. In that for the Hunton Lime, Division III, sufficient reasons have not been given for selecting the particular four leases therein used for comparison, nor has sufficient data been given to show the comparability between the Shell-Seedle lease and the leases selected for comparison;

9. In that for the Hunton Lime in Division III no reasons are given for, nor methods used in, estimating an average ultimate production of 15,000 barrels per acre from the leases selected for comparison;

10. In that for the Siliceous Lime in Division III sufficient data is not given to show the comparability between the Shell-Seedle lease and the leases selected for comparison;

11. In that for the Siliceous Lime no reasons for, or methods used in estimating an average ultimate production of 5,000 barrels per acre from the leases selected for comparison are given;

12. In that the column headed "Present production" should be "Present potential" on the sheet following Exhibit B, Division II;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 28th day of September 1936, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Moore, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 12th day of September 1936 at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2024—Filed, August 31, 1936; 12:47 p.m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE TEXAS-COLLINS FARM, FILED ON AUGUST 24, 1936, BY JOHN P. BOOTH, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that the date on Page 1, Division I, when the information contained in the offering sheet will be out of date is miscalculated based on Items 15 and 16, Division II, and Item 4 (b), Division III;

2. In that the date is omitted from Exhibit A;

3. In that with respect to the Chat horizon in Division III, sufficient reasons have not been given for the selection of the six particular leases therein used as a basis for comparison, nor has sufficient data been given to show the comparability between the Texas-Collins lease and the leases selected for comparison;

4. In that for the Chat horizon, Division III, neither reasons for nor methods used in estimating an average ultimate production of 15,000 barrels per acre from the leases selected for comparison have been given;

5. In that for the Chat horizon the report states in Item 2 (iii), Division III, that the estimate of recoverable oil is made only for that part of the tract now developed and producing, whereas the estimate actually includes 250,500 barrels from the portion of the tract not now developed and producing;

6. In that for the Hunton Lime, Division III, sufficient reasons have not been given for selecting the particular four leases therein used for comparison, nor has sufficient data been given to show the comparability between the Texas-Collins lease and the leases selected for comparison;

7. In that for the Hunton Lime in Division III no reasons are given for, nor methods used in, estimating an average ultimate production of 15,000 barrels per acre from the leases selected for comparison;

8. In that for the Siliceous Lime in Division III sufficient data is not given to show the comparability between the Texas-Collins lease and the leases selected for comparison;

9. In that for the Siliceous Lime no reasons for, or methods used in, estimating an average ultimate production of 5,000 barrels per acre from the leases selected for comparison are given;

10. In that the column headed "Present production" should be "Present potential" on the sheet following Exhibit B, Division II;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 28th day of September 1936, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Moore, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, corre-

spondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 12th day of September 1936 at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2025—Filed, August 31, 1936; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE R. J. COOK RANCH FARM, FILED ON AUGUST 21, 1936, BY THE COLUMBIA COMPANY, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that in Item 2 (d), Division II, the names and addresses of all royalty owners of record appear not to be complete according to Exhibit A.

(2) In that in Item 3 (b), Division II, based upon the plat submitted, it appears that three lessees should be shown rather than two.

(3) In that in Item 6 (a), Division II, with respect to the ad valorem tax, it is not stated who is liable therefor or to whom it is payable.

(4) In that the date of commencement or the date on which it is expected to commence the drilling of the first well is not given in Item 13, Division II.

(5) In that, although the offering sheet shows only one well to be drilled, Exhibit A shows three locations, without a legend explaining the circumstances with reference to each.

(6) In that on Exhibit A a gas well is shown by the legend, which on previous plat filed was shown as a dry hole.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 28th day of September 1936; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that John H. Small, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 14th day of September 1936 at

2:00 o'clock in the afternoon at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2026—Filed, August 31, 1936; 12:48 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 29th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE MARATHON-DAHL FARM, FILED ON AUGUST 24, 1936, BY JOHN G. ELLINGHAUSEN, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that Item 13, Division II, includes objectionable statements regarding porosity, saturation, gas pressures, and high ultimate recovery which will undoubtedly be assured and it is said will be a great deal higher than is usual in other fields. This Item 13 should be confined to a history of the field, not comparisons or estimates;

2. In that Item 5, Division II, has not stated whether or not the purchaser has a direct connected pipe line;

3. In that the range of gravity of oil has been omitted from Item 18 (b), Division II;

4. In that an original signature is not affixed to the offering sheet at the end of Division II;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 28th day of September 1936, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that John H. Small, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 14th day of September 1936, at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2029—Filed, August 31, 1936; 12:46 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A WORKING INTEREST IN THE W. C. TYRELL TRUST #1 FARM, FILED ON AUGUST 21, 1936, BY C. A. EVERTS, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that the date is omitted from Exhibit A, which is one circumstance to be considered in computing the date, on Page 1, Division I, when the information contained in the offering sheet will be out of date;

2. In that the answer to Item 9, Division II, is not responsive and does not give the information required;

3. In that Exhibit A has omitted the operator's name;

4. In that Exhibit A and the description in Item 2, Division II, indicate that this offering covers three non-contiguous tracts in one offering sheet;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 28th day of September, 1936, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Moore, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 12th day of September 1936, at 11:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2029—Filed, August 31, 1936; 12:49 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 29th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SKELLY-JOHNSON FARM, FILED ON AUGUST 22, 1936, BY GENERAL INDUSTRIES CORPORATION, LTD., RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the

offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the statement in Division III to the effect that there is insufficient data for the employment of any other method than the volumetric method for estimation of recoverable oil omits to state why the comparative method cannot be used in this particular instance, as records of production from granite wash covering a period of eight or nine years are available.

(2) In that in Division III the use of a porosity factor of 15% in combination with a thickness factor of 126.94 feet has not been fully explained.

(3) In that insufficient explanation or reasons are given in Division III to explain the use of certain wells which have been producing from this formation for eight or nine years, rather than other wells drilled in the same formation.

(4) In that insufficient data has been given in Division III to explain the porosity and recovery factors there used.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 28th day of September 1936; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that John H. Small, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 14th day of September 1936 at 3:00 o'clock in the afternoon at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2018—Filed, August 31, 1936; 12:46 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN-BURNHAM #2-ALTA-VISTA #2 FARM, FILED ON AUGUST 21, 1936, BY CLAIBORN L. HEAD, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof, and filed by the respondent named therein, is incomplete or inaccurate in the following material respects, to wit:

1. In that Item 8 (d), (i) to (v), is omitted.

2. In that in Item 16 (a) the net production and payoff are figured on pipe line runs rather than the gross production as required.

3. In that Exhibit A has failed to indicate that the British-American Burnham #2 is also included in the tract covered by the offering sheet. It also appears this well is numbered "1" rather than "2" on the Burnham.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 28th day of September 1936; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Charles S. Moore, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 12th day of September, 1936, at 12:00 o'clock noon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2030—Filed, August 31, 1936; 12:49 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 29th day of August A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BARNSDALL-DAWSON FARM, FILED ON AUGUST 24, 1936, BY NORRIS-GILBERT & Co., RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that sheets filed were not fastened together;
2. In that the property involved in the offering sheet is not indicated on the plat map, Exhibit A;

3. In that the legal description is omitted from Exhibit B;
It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 28th day of September, 1936, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that John H. Small, an officer of the Commission, be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance,

take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 14th day of September 1936, at 11:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 2019—Filed, August 31, 1936; 12:46 p. m.]

Wednesday, September 2, 1936

No. 123

TREASURY DEPARTMENT.

Bureau of Internal Revenue.

[T. D. 4693]

WINEMAKER'S BOND, FORM 700-A, AND REGULATIONS RELATING TO WINES AND BRANDIES

To District Supervisors, Collectors of Internal Revenue, and Others Concerned:

Sections 330, 331, 332, 333, and 334 of the Liquor Tax Administration Act (Public, No. 815—74th Congress) provide as follows:

SEC. 330. The last paragraph of section 610 of the Revenue Act of 1918, as amended (U. S. C., 1934 ed., Supp. I, title 26, sec. 1310 (d)), is amended to read as follows:

"The provisions of the internal-revenue laws applicable to natural wine shall apply in the same manner and to the same extent to citrus-fruit wines, peach wines, cherry wines, berry wines, apricot wines, and apple wines, which are the products, respectively, of normal alcoholic fermentation of the juice of sound ripe (1) citrus-fruit (except lemons and limes), (2) peaches, (3) cherries, (4) berries, (5) apricots, or (6) apples, with or without the addition of dry cane, beet, or dextrose sugar (containing, respectively, not less than 95 per centum of actual sugar, calculated on a dry basis) for the purpose of perfecting the product according to standards, but without the addition or abstraction of other substances, except as may occur in the usual cellar treatment of clarifying or aging."

SEC. 331. Section 612 of the Revenue Act of 1918, as amended (U. S. C., 1934 ed., Supp. I, title 26, sec. 1301) is amended to read as follows:

"SEC. 612. (a) Under such regulations and official supervision and upon the giving of such notices and entries as the Commissioner, with the approval of the Secretary, may prescribe, any producer of wines defined under the provisions of this title may withdraw from any fruit distillery or Internal Revenue Bonded Warehouse grape brandy, or wine spirits, for the fortification of such wines on the premises where actually made, and any producer of citrus-fruit wines, peach wines, cherry wines, berry wines, apricot wines, or apple wines may similarly withdraw citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, or apple brandy for the fortification, respectively, of citrus-fruit wines, peach wines, cherry wines, berry wines, apricot wines, or apple wines, on the premises where actually made: *Provided*, That after the date of the enactment of the Liquor Tax Administration Act there shall be levied and assessed against the producer of such wines or citrus-fruit wines, peach wines, cherry wines, berry wines, apricot wines, or apple wines (in lieu of the internal-revenue tax now imposed thereon by law) a tax of 10 cents per proof-gallon of grape brandy, citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, apple brandy, or wine spirits, whenever withdrawn and so used by him after such date in the fortification of such wines or citrus-fruit wines or peach wines, cherry wines, berry wines, apricot wines, or apple wines during the preceding month, which assessment shall be paid by him within eighteen months from the date of notice thereof: *Provided*, That every producer of wine who withdraws such brandy, citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, apple brandy, or wine spirits shall give bond to fully cover at all times prior to payment of the assessment the amount of tax due on such brandy, citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, apple brandy, or wine spirits, which bond shall be in such form as the Commissioner of Internal Revenue, with the approval of the

